

**MINUTES  
REGULAR MEETING OF THE  
AGOURA HILLS CITY COUNCIL AND THE  
AGOURA HILLS REDEVELOPMENT AGENCY  
Civic Center – Council Chambers  
30001 Ladyface Court, Agoura Hills, CA 91301  
December 13, 2006 at 7:00 p.m.**

Mayor Kuperberg called the meeting to order at 7:02 p.m. and recessed back to the Special Meeting of the City Council and Agoura Hills Planning Commission.

Mayor Kuperberg reconvened the meeting at 9:14 p.m.

Present Were: Mayor Dan Kuperberg, Mayor Pro Tem John Edelston, Councilmember William Koehler, Councilmember Harry Schwarz, and Councilmember Denis Weber.

Also Present Were: City Manager Greg Ramirez, City Attorney Craig Steele, Assistant to the City Manager Nathan Hamburger, Assistant to the City Manager Louis Celaya, City Engineer Ken Berkman, Director of Finance Georgette Holt, and City Clerk Kimberly Rodrigues.

**REPORT OF CLOSED SESSION**

City Attorney Steele reported on the Closed Session pursuant to Government Code Sections 54956.8, 54956.9(a), and 54956.9(c). Direction was given to staff and no reportable action was taken.

**APPROVAL OF AGENDA**

On a motion by Councilmember Schwarz, second by Councilmember Weber, the Agenda was approved without objection.

**ORAL COMMUNICATIONS**

There were no oral communications from the public.

**PRESENTATIONS**

There were no presentations.

**INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE & DEPARTMENTAL REPORTS**

There were no reports from members of City Council or staff.

## **CONSENT CALENDAR**

Mayor Pro Tem Edelston pulled Agenda Item No. 8.

On a motion by Councilmember Weber, second by Councilmember Koehler, Consent Calendar Item Nos. 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, and 13 were approved 5-0.

1. Approve Demand Warrant Register No. 552

ACTION: Approved 5-0

2. Approve Demand Warrant Register No. 553

ACTION: Approved 5-0

3. Approve Treasurer's Report for October 2006

ACTION: Approved 5-0

4. Approve Fourth Amendment to the Agoura Hills/Calabasas Community Center Joint Powers Agreement (JPA) to Provide for Non Voting Student Members on the JPA Board

ACTION: Approved 5-0

5. Approve Council Committee Appointments for 2007

ACTION: Approved 5-0

6. Approve 2007 City Council Meeting Schedule

ACTION: Approved 5-0

7. Approve Six Month Extension of the Agreement for Residential Solid Waste and Recycling Materials Collection Services G.I. Industries

ACTION: Approved 5-0

8. Item pulled for discussion and deferred to the end of the Consent Calendar.

9. Adopt **Ordinance No. 06-340**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING CHAPTER 6, PART 2, DIVISION 5 – SIGN REGULATIONS, §9655-9655.9, IN THE CITY OF AGOURA HILLS MUNICIPAL CODE

ACTION: Approved 5-0

10. Adopt **Resolution No. 06-1434**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AUTHORIZING THE INVESTING OF MONIES WITH BANC OF AMERICA INVESTMENT SERVICES, INC.

ACTION: Approved 5-0

11. Upon approval of the Consent Calendar, Agenda Item No. 11 was reopened for discussion and moved to the end of the Consent Calendar.

12. Adopt **Resolution No. 06-1436**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT FOR THIRD SUPERVISORIAL DISTRICT COMPETITIVE FUNDS FOR LINDERO CREEK OPEN SPACE

ACTION: Approved 5-0

13. Receive and File the Audit Report for Fiscal Year 2005-06

ACTION: Approved 5-0

#### **CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION**

8. Award of Contract for Driver Avenue Equestrian Trail; NIB 06-02

The following person submitted comments in favor of the item:

N. Green, Agoura Hills

The following persons spoke in favor of the item:

Jess Thomas, Agoura Hills

Cyrena Nouzille, Agoura Hills

ACTION: Following discussion, the motion by Councilmember Weber, to approve the award of contract as recommended, was seconded by Councilmember Schwarz and approved 5-0.

11. Adopt **Resolution No. 06-1435**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AUTHORIZING AN AGREEMENT EXTENDING THE TERMINATION DATE OF THE CABLE TELEVISION FRANCHISE AGREEMENT WITH CAC EXCHANGE I, LLC, DBA TIME WARNER CABLE

The motion by Councilmember Weber, to reconsider Item No. 11, was seconded by Councilmember Schwarz, and unanimously approved.

The following person spoke in opposition to the item:

Donald Zimring, representing the Las Virgenes Unified School District, Agoura Hills

**ACTION:** Following discussion, the motion by Mayor Kuperberg, to adopt Resolution No. 06-1435 and direct staff to add "*The "Grantor" (City) urges the "Grantee" (Time Warner) to negotiate, in good faith, with the Las Virgenes Unified School District to provide all appropriate services to all the schools within the City, especially and including the new Yerba Buena School*" as a clause to the agreement, and direct staff to participate and provide comments to the Public Utilities Commission regarding their proposed set of conditions for statewide franchises, was seconded by Councilmember Koehler, and unanimously approved 5-0.

<p style="text-align: center;"><b>Convene the Agoura Hills Redevelopment Agency (RDA) Meeting Without Adjourning the Agoura Hills City Council Meeting</b></p>
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The meeting was called to order at 9:42 p.m. by Agency Chair Dan Kuperberg.

Present Were: Agency Chair Dan Kuperberg, Agency Vice Chair John Edelston, Agency Member William Koehler, Agency Member Harry Schwarz, and Agency Member Denis Weber.

Also Present Were: Agency Executive Director Greg Ramirez, Agency Attorney Craig Steele, and Agency Secretary Kimberly Rodrigues.

**RDA APPROVAL OF AGENDA**

On a motion by Agency Vice Chair Edelston, second by Agency Member Weber, the Agenda was approved without objection.

**RDA ELECTION OF AGENCY CHAIR AND VICE CHAIR**

Agency Chair Kuperberg asked for nominations for the position of Agency Chair. The motion by Agency Member Weber, to nominate Agency Vice Chair Edelston as Agency Chair, was seconded by Agency Member Koehler. There were no further nominations and, by unanimous consensus, John Edelston was elected as Agency Chair.

Agency Chair Edelston asked for nominations for the position of Agency Vice Chair. Agency Member Koehler nominated Agency Member Schwarz. Pursuant to the City Council Norms, Agency Member Koehler amended his nomination. The motion by Agency Member Koehler to nominate Agency Member Weber, as Agency Vice Chair, was seconded by Agency Chair Kuperberg. There were no further nominations and, by unanimous consensus, Denis Weber was elected as Agency Vice Chair.

### **RDA ORAL COMMUNICATIONS**

There were no oral communications.

### **RDA CONSENT CALENDAR**

On a motion by Agency Member Schwarz, second by Agency Member Weber, the Consent Calendar was approved 5-0.

RDA1. Receive and File the Agoura Hills Redevelopment Agency Audit Report for Fiscal Year 2005-06

ACTION: Approved 5-0

At 9:46 p.m., the motion by Agency Member Schwarz, to adjourn the Redevelopment Agency meeting, was seconded by Agency Member Weber and unanimously approved.

**Adjourn the Agoura Hills Redevelopment Agency Meeting and  
Reconvene the Regular Meeting of the Agoura Hills City Council**

### **PUBLIC HEARING/ORDINANCE**

14. Conduct a Public Hearing, Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 06-341**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, IMPOSING CIVIL FINES FOR HOSTING SOCIAL GATHERINGS OF UNDERAGE DRINKERS, ADDING SECTIONS 41000-41006 OF CHAPTER 12 TO ARTICLE IV OF THE AGOURA HILLS MUNICIPAL CODE - *This Public Hearing will be continued to the Regular City Council Meeting of January 10, 2007*

On behalf of staff, City Manager Ramirez asked for additional time to consider alterations to the proposed Ordinance and requested the City Council open and continue the Public Hearing to January 10, 2007.

Mayor Kuperberg opened the Public Hearing. There were no speakers.

**ACTION:** The motion by Councilmember Weber, to continue the Public Hearing to the Regular City Council Meeting of January 10, 2007, was seconded by Councilmember Schwarz, and unanimously approved.

### **CITY COUNCIL DISCUSSION/ACTION**

15. Discussion and Approval of Purchase and Sale Agreement of Surplus Property (Las Virgenes Unified School District – East of New Yerba Buena School Site)

Upon presentation of the staff report, Mayor Kuperberg opened the floor for public comment.

There were no speakers.

**ACTION:** Following discussion, the motion by Councilmember Weber, to approve the agreement for the acquisition of the 18.3 acre surplus property from the Las Virgenes School District and appropriate \$50,000 from the General Fund Balance, was seconded by Mayor Pro Tem Edelston, and unanimously approved.

16. Adopt **Resolution No. 06-1437**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ESTABLISHING REVISED PROCEDURES FOR MANDATORY COMMINGLED COLLECTION OF RECYCLABLES FROM COMMERCIAL PREMISES

Upon presentation of the staff report, Mayor Kuperberg opened the floor for public comment.

There were no speakers.

**ACTION:** Following discussion and a question and answer period, the motion by Councilmember Schwarz, to adopt **Resolution No. 06-1437**, was seconded by Councilmember Weber, and unanimously approved.

17. Malibu Creek Watershed Bacteria TMDL Regulations

Upon presentation of the staff report, the Joe Bellomo, the City's Stormwater Program Consultant from Willdan Associates, spoke briefly about the item.

Mayor Kuperberg opened the floor for public comment. There were no public speakers.

No action was required or taken on this item.

### **COUNCIL, STAFF COMMENTS**

City Engineer Berkman reported that the northbound loop ramp of the U.S. 101/Kanan Road Interchange is now open.

City Manager Ramirez reported that staff had worked collectively, with legal counsel and the city prosecutor, on the reported instances of transient uses in R-1 (single-family) areas and had successfully approached and resolved the issues on a code enforcement/compliance basis. He also reported that staff would continue to monitor and/or respond to these issues and did not anticipate any need to bring back any citywide legislative changes (to deal with these types of issues) at this time.

Mayor Pro Tem Edelston spoke about the League of California Cities' *California Healthy Cities Project* and requested the City Council give direction to staff to work with the Mayor and Mayor Pro Tem to develop a program, or a plan to participate in the League's program, to bring back to the City Council for consideration. The City Council unanimously concurred with the request.

Councilmember Weber reported that he and Mayor Pro Tem Edelston had participated in lighting a candle on the Menorah at the candle-lighting ceremony hosted by the Chabad of the Conejo at City Hall this morning; announced that he had received a letter from the League of California Cities appointing him to the Public Safety Committee; and wished everyone a very Happy Hanukkah, Merry Christmas, and Happy New Year.

Mayor Kuperberg thanked staff for the professionalism of the City's Reorganization Meeting on December 4, 2006 and wished Councilmember Weber a Happy Birthday.

### **ADJOURNMENT**

At 10:19 p.m., on a motion by Councilmember Schwarz, second by Councilmember Weber, the Council unanimously consented to adjourn the meeting to 7:00 p.m., Wednesday, January 10, 2007, for a Regular Meeting of the City Council in the Council Chambers of the Civic Center with a Closed Session at 6:00 p.m. The Civic Center is located at 30001 Ladyface Court, Agoura Hills.

Kimberly M. Rodrigues, CMC  
City Clerk/Agency Secretary